

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Ibert Clifton Wells
Serial No. : Not yet assigned
Filing Date : Not yet assigned
Title : ANTAGONISTS OF THE MAGNESIUM BINDING
DEFECT AS THERAPEUTIC AGENTS AND
METHODS FOR TREATMENT OF ABNORMAL
PHYSIOLOGICAL STATES
Group/Art Unit : Not yet assigned
Examiner : Not yet assigned
Confirmation No. : Not yet assigned
Atty. Docket No. : 800812-0008

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.56, § 1.97, and § 1.98, the accompanying form PTO-892 and forms PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The present application is a divisional application of U.S. Application Serial No. 10/230,133, filed August 29, 2002, which is a divisional application of U.S. Application Serial No. 09/635,266, filed August 9, 2000 (now U.S. Patent No. 6,455,734). The cited documents are already of record in the parent case, and therefore, copies are not being submitted with the present statement pursuant to 37 C.F.R. § 1.98(d). Submission of these references is not an admission that the references constitute prior art.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: October 28, 2003

Signature: Lara Gurlap

Printed Name: Lara Gurlap

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.


Applicant[s] respectfully request[s] that these references be made of record in the above-identified application and considered by the Examiner during prosecution of the application.

It is respectfully submitted that the present invention as claimed is patentable over the listed references.

This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) or before the mailing of a first Office Action on the merits. Accordingly, no fee is due.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By: 
Nancy T. Morris, Reg. No. 42,017
STINSON MORRISON HECKER LLP
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Attorney for Applicant[s]

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Examiner Signature	S. Kumar	Date Considered	7/16/03
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Application Number:	10/230,133
Filing Date:	August 29, 2002
First Named Inventor:	Ibert Clifton Wells
Group Art Unit:	1621
Examiner Name:	Not Yet Assigned
Attorney Docket Number:	2892-106

Attorney Docket Number:	2892-106
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Substitute for Form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number:	10/230,133
Filing Date:	August 29, 2002
First Named Inventor:	Ibert Clifton Wells
Group Art Unit:	1621
Examiner Name:	Not Yet Assigned
Attorney Docket Number:	2892-106

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U. S. PATENT DOCUMENTS

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Examiner Signature	S. Kerner	Date Considered	7/16/03
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Substitute for Form 1449B/PTO (Modified)
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(use as many sheets as necessary)

Sheet	2	of	2
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Complete if Known	
Application Number:	10/230,133
Filing Date:	August 29, 2002
First Named Inventor:	Ibert Clifton Wells
Group Art Unit:	1621
Examiner Name:	S. Kumar
Attorney Docket Number:	2892-106

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OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS AND INFORMATION

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Examiner Signature	<i>S. J. Kumar</i>	Date Considered	7/16/01
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				<i>Complete if Known</i>	
				Application Number	09/635,266 <i>new 10/230133</i>
				Filing Date	August 9, 2000 <i>here with 8/29/02</i>
				First Named Inventor	Ibert Clifton WELLS
				Group Art Unit	1624 1621
				Examiner Name	K. Habte <i>S: Kumar</i>
				Attorney Docket Number	W16-3 (N4427-002) <i>2892-106</i>

U.S. PATENT DOCUMENTS

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application Number	09/635,266 new 10/230,133
				Filing Date	August 9, 2000 renewed 8/29/02
				First Named Inventor	Ibert Clifton WELLS
				Group Art Unit	162 162)
				Examiner Name	S. Kumar
Sheet	1	of	1	Attorney Docket Number	W16-3 (N1427-002) 2892-106
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-Issue number(s), publisher, city and/or country where published			T ⁶
8u		EDVINSSON, L., et al., "Reduced levels of calcitonin gene-related peptide (CGRP) but not substance P during and after treatment of severe hypertension in man," <i>J. Human Hypertension</i> , 1989, 3:267-270.			
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		SANFILIPPO, J.S., et al., "Amniotic Fluid Levels of Substance P," <i>The Journal of Reproductive Medicine</i> , August, 1992, 37(8):733-736.			
u		TAKANO, Y., et al., "Substance P immunoreactivity released from rat spinal cord after kainic acid excitation of the ventral medulla oblongata: a correlation with increases in blood pressure," <i>Brain Research</i> , 1984, 291:168-172.			
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application Number 09/635,266 ~~1622~~

Filing Date August 9, 2000 8/29/00

First Named Inventor Ibert Clifton WELLS

Group Art Unit ~~1622~~ 162)

Examiner Name S. Kumar

Sheet

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of

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Attorney Docket Number W16-3 (N1427-002) 2892-106

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
86		5,268,359		Harmar et. al.	12-07-1993
		5,491,140		Bruns et al.	02-13-1996
		5,492,927		Gitter et al.	02-20-1996
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86		5,698,710		Sisto et al.	12-16-1997
Examiner Signature	S. Kumar			Date Considered	7/17/03

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11040 U.S. PTO

10/230133



08/29/02

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application Number 09/635,266 ~~new~~ 10/230,133
Filing Date August 9, 2000 ~~revised~~ 8/29/02
First Named Inventor Ibert Clifton WELLS
Group Art Unit ~~1814~~ 162)
Examiner Name S. Kumar

Sheet 2 of 2 Attorney Docket Number W46-3-(N4427-002) 2892-106

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
SC		FRICKEY, P.H., et al., "Preparation and Characterization of Monoclonal Antibodies to Substance P," <i>Hybridoma</i> , Nov. 6, 1991, 10:685-694.	
		HORWELL, D.C., "Use of the Chemical Structure of Peptides as the Starting Point to Design Nonpeptide Agonists and Antagonists at Peptide Receptors: Examples with Cholecystokinin and Tachykinins," <i>Bioorganic & Medicinal Chemistry</i> , 1996, 4(1):1573-1576.	
		MATTINGLY, M.T., et al. "Decreased Cell Membrane Magnesium in Some Essential Hypertension Patients," <i>Clin. and Exper. Hyper.-Theory and Practice</i> , 1991, 13:65-82 (author's reprint enclosed-total of 20 pages). (1)	
		THEODORSSON-NORHEIM, E., et al., "Neuropeptide K: A Major Tachykinin in Plasma and Tumor Tissues from Carcinoid Patients," <i>Biochemical and Biophysical Research Communications</i> , 1985, 131:77-83	
SC		WELLS, I.C., et al., "Abnormal magnesium metabolism in two rat models of genetic hypertension," <i>Can. J. Physiol. Pharmacol.</i> , 1992, 70:1225-1229.	
Examiner Signature	S. Kumar	Date Considered	7/17/03

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10/830,133

Notice of References Cited

Application/Control No. *101*
09/695,266

Applicant(s)/Patent Under Reexam

*Wells*Examiner *S. Kumar*

Art/Unit

*7621*Page *1* of *1*

U.S. PATENT DOCUMENTS

* A	Document Number Country Code Number Kind Code	Date MM-YYYY ¹	Name	Classification ²
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11040 U.S. PAT.
10/230133

08/29/02

FOREIGN PATENT DOCUMENTS

* N	Document Number Country Code Number Kind Code	Date MM-YYYY ¹	Country	Name	Classification ²
<i>84</i>	<i>2,166,316</i>	<i>08/1973</i>	<i>France</i>	<i>—</i>	<i>—</i>
<i>50</i>	<i>2,065,879</i>	<i>08/1976</i>	<i>Germany</i>	<i>—</i>	<i>—</i>
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NON-PATENT DOCUMENTS

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